

Of Albany, on which day the several lots shall commence to be sold at public vendue, which day shall not be less then sixty nor more than eighty days from the expiration of the said first, mentioned sixty days; which notice shall be published in manner aforesaid.

And be it further enacted by the authority aforesaid, That the sale of all the said lots shall continue from day to day until the whole shall be sold, and each lot shall be separately put up at vendue, and struck off to the highest bidder. *Provided* that none of the said lots shall be sold for less then sixteen shillings per acre.

And be it further enacted by the authority aforesaid, That the conditions on which the lots of land hereinbefore mentioned shall be exposed to public sale shall be as follows, to wit, the purchaser of every lot shall immediately after the purchase thereof pay unto the Surveyor General as part of the purchase money the sum of ten pounds; and it shall be optional with each and every purchaser, either to pay the residue of the purchase money within forty days after such purchase, and take a deed therefor in manner herein after prescribed, or to execute a mortgage therefor in manner herein after mentioned subject to an annual interest of six per centum to be annually paid into the Treasury of this State within the time to be specified in such mortgage. *Provided always* that each and every purchaser who shall neglect or refuse to pay the residue of the purchase money before the expiration of the forty days before mentioned or shall refuse or neglect to take such deed and execute such mortgage shall forfeit to the use of the People of this State, the first payment herein mentioned; and the lands on which such forfeiture shall arise shall as soon as may be after the expiration of the said forty days be again exposed to public sale in manner and on the conditions herein before mentioned.

AND WHEREAS Peter Smith of the county of Herkemer hath obtained a lease from the Oneida Indians for the term of twenty one years, for which term the said Indians were by law authorized to lease part of the tract appropriated to their use. Therefore,

BE it further enacted by the authority aforesaid, That every tenant holding of the said tract by sub-lease under the said Peter Smith, and for the term aforesaid, shall have the pre-emption of the remainder and reversion of the lands so leased to him, and the said Peter Smith shall also have the pre-emption of the remainder and reversion of such part of the tract so leased to him, and which shall not have been by him so leased to other; *Provided* that he or they or such of them as shall be designated by the said agents as entitled shall pay into the Treasury of this State before the expiration of sixty days next after the first day on which the sale of the lots herein beforementioned shall commence, a sum of money for each acre so held equal to the mean price by the acre of the lands in the same tract which shall be sold by the Surveyor General at such sale and in manner aforesaid either by mortgage or by the actual payment of the money by the person entitled at his or her opinion, and shall receive a deed therefor in manner herein after prescribed.

And be it further enacted by the authority aforesaid, That every person who shall be designated by the said agents and shall produce their certificate stating that the person therein named is entitled as a settler occupying of the land of either of the said tribes (other than of the common land aforesaid) by the free and voluntary consent of the same tribe on or before the said first day of January last shall be entitled to the pre-emption of the remainder and reversion thereof: *Provided* that the person so certified as entitled shall within sixty days to be computed from the commencement of such sale as aforesaid, pay unto the Surveyor General of this State a sum of money for each acre equal to the mean price by the acre of the lands in the same tract which shall have been sold by the Surveyor General as such sale as aforesaid, and shall pay the purchase money, or execute a mortgage therefor at his or her opinion, and shall receive a deed therefor in manner herein after mentioned. *And provided also,* that such right of pre-emption shall not extend to more than two hundred and fifty acres for each occupant as aforesaid.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said agents to cause the tract heretofore stipulated by the Onondaga Indians to be granted to Ephraim Webster to be surveyed and to lay out such additional tract adjoining thereto, and of the lands now belonging to the People of this State as that the aggregate may be equal six hundred and forty acres, and to give him a deed therefor in the name of the People of this State, as a free and voluntary gift on their part.

And be it further enacted by the authority aforesaid, That as soon as may be after the sale of the said lots or any of them, and after receiving such part of the purchase money as aforesaid, the Surveyor General shall execute conveyances of the same lots to the purchasers thereof in the form herein after

prescribed, and shall immediately thereupon take from each purchaser a mortgage on the lot or lots so conveyed to the same purchaser, to secure the payment of the residue of the purchase money in the form herein after prescribed, and cause the mortgages to be registered in the office of the clerk of the county in which the lands so mortgaged shall be situated, and then deliver the said mortgages to the Treasurer of this State.

And be it further enacted by the authority aforesaid, That the conveyances so to be given by the said Surveyor General shall be in the following form, that is to say, "This Indenture made the
 " day of in the year of our Lord one thousand seven hundred and ninety- Between
 " Surveyor General of the State of New York of the first part, and of
 " of the second part; Witnesseth, That the said Surveyor General for and in behalf of the People of
 " the State of New York, in pursuance of an act entitled "An act for the better support of the Oneida
 " Onondaga and Cayuga Indians and for other other purposes therein mentioned," passed the
 " day of 1795, and for and in consideration of the sum of to him in hand paid by the
 " said the receipt whereof is hereby acknowledged, and of the further sum of
 " secured to be paid to the direction of the said act, hath granted bargained sold released
 " and confirmed, and by these presents doth grant bargain sell release and confirm unto the said
 " heirs and assigns, ALL that Together with all manner of improvements

Excepts from said document

Selling said lots in the city of Albany. Sale of said lots to continue from day to day till all are sold and none to be sold at a less price than 16s. per acre.	First paragraph
Conditions on which said lots are to Be sold.	Third paragraph
Reciting that Peter Smith hath obtained A lease from the Oneidas for 25 years.	Fourth paragraph
Said P. Smith and all holding under him To have the right of pre-emption.	Fifth paragraph
Proviso	see above
All persons occupying and of said lots By the consent of the Indians entitled to The pre-emption of the same.	Sixth paragraph
Proviso	see above
Commissioners to give a deed to Ephriam Webster for 640 acres.	Seventh paragraph
After sale of said lots and payment of a certain Part of the purchase money, Surveyor General To execute conveyances for the same, and take Mortgages to secure the payment of the residue.	Seventh paragraph
Form of the conveyances to be given by the Surveyor General.	Eight paragraph

of Albany, on which day the several lots shall commence to be sold at public vendue; which day shall not be less than sixty nor more than eighty days from the expiration of the said first mentioned sixty days; which notice shall be published in manner aforesaid.

And be it further enacted by the authority aforesaid, That the sale of all the said lots shall continue from day to day until the whole shall be sold, and each lot shall be separately put up at vendue, and struck off to the highest bidder. *Provided* that none of the said lots shall be sold for less than sixteen shillings per acre.

And be it further enacted by the authority aforesaid, That the conditions on which the lots of land hereinbefore mentioned shall be exposed to public sale shall be as follows, to wit, the purchaser of every lot shall immediately after the purchase thereof pay unto the Surveyor General as part of the purchase money the sum of ten pounds; and it shall be optional with each and every purchaser, either to pay the residue of the purchase money within forty days after such purchase, and take a deed therefor in manner herein after prescribed, or to execute a mortgage therefor in manner herein after mentioned subject to an annual interest of six per centum to be annually paid into the Treasury of this State within the time to be specified in such mortgage. *Provided* always that each and every purchaser who shall neglect or refuse to pay the residue of the purchase money before the expiration of the forty days before mentioned or shall refuse or neglect to take such deed and execute such mortgage shall forfeit to the use of the People of this State, the first payment herein mentioned; and the lands on which such forfeiture shall arise shall as soon as may be after the expiration of the said forty days be again exposed to public sale in manner and on the conditions herein before mentioned.

AND WHEREAS Peter Smith of the county of Herkimer hath obtained a lease from the Onondaga Indians for the term of twenty one years, for which term the said Indians were by law authorized to lease part of the tract appropriated to their use. Therefore,

BE it further enacted by the authority aforesaid, That every tenant holding of the said tract by sublease under the said Peter Smith, and for the term aforesaid, shall have the pre-emption of the remainder and reversion of the lands so leased to him, and the said Peter Smith shall also have the pre-emption of the remainder and reversion of such part of the tract so leased to him, and which shall not have been by him so leased to others; *Provided* that he or they or such of them as shall be designated by the said agents as entitled shall pay into the Treasury of this State before the expiration of sixty days next after the first day on which the sale of the lots herein before mentioned shall commence, a sum of money for each acre so held equal to the mean price by the acre of the lands in the same tract which shall be sold by the Surveyor General at such sale and in manner aforesaid either by mortgage or by the actual payment of the money by the person entitled at his or her option, and shall receive a deed therefor in manner herein after prescribed.

And be it further enacted by the authority aforesaid, That every person who shall be designated by the said agents and shall produce their certificate stating that the person therein named is entitled as a settler occupying of the land of either of the said tribes (other than of the common land aforesaid) by the free and voluntary consent of the same tribe on or before the said first day of January last shall be entitled to the pre-emption of the remainder and reversion thereof: *Provided* that the person so certified as entitled shall within sixty days to be computed from the commencement of such sale as aforesaid, pay unto the Surveyor General of this State a sum of money for each acre equal to the mean price by the acre of the lands in the same tract which shall have been sold by the Surveyor General at such sale as aforesaid, and shall pay the purchase money, or execute a mortgage therefor at his or her option, and shall receive a deed therefor in manner herein after mentioned. *And provided also,* that such right of pre-emption shall not extend to more than two hundred and fifty acres for each occupant as aforesaid.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said agents to cause the tract heretofore stipulated by the Onondaga Indians to be granted to Ephraim Webster to be surveyed and to lay out such additional tract adjoining thereto, and of the lands now belonging to the People of this State as that the aggregate may be equal to six hundred and forty acres, and to give

A. D. 1789.
Ind. V. S. XIX.

Selling Auctioneers in the City of Albany.
Sale of said lots to continue from day to day till all are sold and none to be sold at a less price than 16s. per acre.

Conditions on which said lots are to be sold.

Reciting that Peter Smith hath obtained a lease from the Onondagas for 21 years.

Said P. Smith & all holding under him to have the right of pre-emption.

Proviso.

All persons occupying any of said lots by the consent of the Indians entitled to the pre-emption of the same.

Proviso.

Commissioners to give a deed to Ephraim Webster for 640 acres.

And be it further enacted by the authority aforesaid, That the said lands hereinafter mentioned shall be sold by the Surveyor General at such sale and in manner aforesaid, either by public sale or by the actual payment of the money by the person entitled at his or her option. And shall receive therefor in manner herein after prescribed.

And be it further enacted by the authority aforesaid, That every person who shall be designated by the said agents and shall produce their certificate stating that the person therein named is entitled as a settler occupying of the land of either of the said tribes (other than of the common land aforesaid) by the free and voluntary consent of the same tribe on or before the said first day of January last shall be entitled to the pre-emption of the remainder and reversion thereof: *Provided* that the person so certified as entitled shall within sixty days to be computed from the commencement of such sale as aforesaid, pay unto the Surveyor General of this State a sum of money for each acre equal to the mean price by the acre of the lands in the same tract which shall have been sold by the Surveyor General at such sale as aforesaid, and shall pay the purchase money, or execute a mortgage therefor at his or her option, and shall receive a deed therefor in manner herein after mentioned. *And provided also*, that such right of pre-emption shall not extend to more than two hundred and fifty acres for each occupant as aforesaid.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said agents to cause the tract heretofore stipulated by the Onondaga Indians to be granted to Ephraim Webster to be surveyed and to lay out such additional tract adjoining thereto, and of the lands now belonging to the People of this State as that the aggregate may be equal to six hundred and forty acres, and to give him a deed therefor in the name of the People of this State, as a free and voluntary gift on their part.

And be it further enacted by the authority aforesaid, That as soon as may be after the sale of the said lots or any of them, and after receiving such part of the purchase money as aforesaid, the Surveyor General shall execute conveyances of the same lots to the purchasers thereof in the form herein after prescribed, and shall immediately thereupon take from each purchaser a mortgage on the lot or lots so conveyed to the same purchaser, to secure the payment of the residue of the purchase money in the form herein after prescribed, and cause the same mortgages to be registered in the office of the clerk of the county in which the lands so mortgaged shall be situated, and then deliver the said mortgages to the Treasurer of this State.

And be it further enacted by the authority aforesaid, That the conveyances so to be given by the said Surveyor General shall be in the following form, that is to say, "This Indenture made the _____ day of _____ in the year of our Lord one thousand seven hundred and ninety- _____ Between _____ Surveyor General of the State of New York of the first part, and _____ of _____ of the second part; Witneseth, That the said Surveyor General for and in behalf of the People of the State of New-York, in pursuance of an act entitled "An act for the better support of the Oneida Onondaga and Cayuga Indians and for other other purposes therein mentioned," passed the _____ day of _____ 1795, and for and in consideration of the sum of _____ to him in hand paid by the said _____ the receipt whereof is hereby acknowledged, and of the further sum of _____ secured to be paid according to the direction of the said act, hath granted bargained sold released and confirmed, and by these presents doth grant bargain sell release and confirm unto the said _____ heirs and assigns, ALL that _____ Together with all manner of improvements

All persons claiming any part of the lands by the consent of the Indians entitled to the pre-emption of the same.

Provido.

Commissioners to give a deed to Ephraim Webster for 640 acres.

After sale of said lots & payment of a certain part of the purchase money, Surveyor General to execute conveyances for the same, and take mortgages to secure the payment of the residue.

Form of the conveyances to be given by the Surveyor General.